

## **2013 DRAFTING REQUEST**

### **Bill**

Received: **3/26/2013** Received By: **pkahler**  
Wanted: **As time permits** Same as LRB:  
For: **Chris Kapenga (608) 266-3007** By/Representing: **Lindsey Brabender**  
May Contact: Drafter: **pkahler**  
Subject: **Insurance - miscellaneous** Addl. Drafters: **jkreye**  
**Legislature - miscellaneous**  
Extra Copies:

Submit via email: **YES**  
Requester's email: **Rep.Kapenga@legis.wisconsin.gov**  
Carbon copy (CC) to: **Tamara.Dodge@legis.wisconsin.gov**

---

### **Pre Topic:**

No specific pre topic given

---

### **Topic:**

Social and financial impact reports by OCI

---

### **Instructions:**

See attached

---

### **Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	jkreye 3/27/2013	scalvin 4/4/2013	jfrantze 4/4/2013	_____			
/P1	pkahler 4/9/2013			_____	sbasford 4/4/2013		State
/1	jkreye 4/9/2013	scalvin 4/9/2013	rschluet 4/9/2013	_____	sbasford 4/9/2013	srose 5/23/2013	State

FE Sent For:

<END>

At  
Intro.

# **2013 DRAFTING REQUEST**

## **Bill**

Received:	<b>3/26/2013</b>	Received By:	<b>pkahler</b>
Wanted:	<b>As time permits</b>	Same as LRB:	
For:	<b>Chris Kapenga (608) 266-3007</b>	By/Representing:	<b>Lindsey Brabender</b>
May Contact:		Drafter:	<b>pkahler</b>
Subject:	<b>Insurance - miscellaneous Legislature - miscellaneous</b>	Addl. Drafters:	<b>jkreye</b>
		Extra Copies:	

Submit via email: **YES**  
 Requester's email: **Rep.Kapenga@legis.wisconsin.gov**  
 Carbon copy (CC) to: **Tamara.Dodge@legis.wisconsin.gov**

## **Pre Topic:**

No specific pre topic given

## **Topic:**

Social and financial impact reports by OCI

## **Instructions:**

See attached

## **Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	jkreye 3/27/2013	scalvin 4/4/2013	jfrantze 4/4/2013	_____			
/P1	pkahler 4/9/2013			_____	sbasford 4/4/2013		State
/1	jkreye 4/9/2013	scalvin 4/9/2013	rschluet 4/9/2013	_____	sbasford 4/9/2013		State

FE Sent For:

**<END>**

## 2013 DRAFTING REQUEST

### Bill

Received: **3/26/2013** Received By: **pkahler**  
Wanted: **As time permits** Same as LRB:  
For: **Chris Kapenga (608) 266-3007** By/Representing: **Lindsey Brabender**  
May Contact: Drafter: **pkahler**  
Subject: **Insurance - miscellaneous** Addl. Drafters: **jkreye**  
**Legislature - miscellaneous**  
Extra Copies:

Submit via email: **YES**  
Requester's email: **Rep.Kapenga@legis.wisconsin.gov**  
Carbon copy (CC) to: **Tamara.Dodge@legis.wisconsin.gov**

---

### Pre Topic:

No specific pre topic given

---

### Topic:

Social and financial impact reports by OCI


---

### Instructions:

See attached

---

### Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	jkreye 3/27/2013	scalvin 4/4/2013	jfrantze 4/4/2013	_____			
/P1				_____	sbasford 4/4/2013		State
		/1 sec 04/09/2013	4413	_____			

FE Sent For:

<END>

## **2013 DRAFTING REQUEST**

### **Bill**

Received: <b>3/26/2013</b>	Received By: <b>pkahler</b>
Wanted: <b>As time permits</b>	Same as LRB:
For: <b>Chris Kapenga (608) 266-3007</b>	By/Representing: <b>Lindsey Brabender</b>
May Contact:	Drafter: <b>pkahler</b>
Subject: <b>Insurance - miscellaneous Legislature - miscellaneous</b>	Addl. Drafters: <b>jkreye</b>

Extra Copies:

Submit via email: **YES**  
 Requester's email: **Rep.Kapenga@legis.wisconsin.gov**  
 Carbon copy (CC) to: **Tamara.Dodge@legis.wisconsin.gov**

---

### **Pre Topic:**

No specific pre topic given

---

### **Topic:**

Social and financial impact reports by OCI

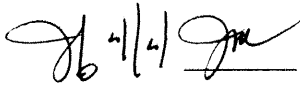
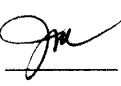
---

### **Instructions:**

See attached

---

### **Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
1/?	pkahler	1/PI sec 04/03/2013					

FE Sent For:

**<END>**

## Kahler, Pam

---

**From:** Brabender, Lindsey  
**Sent:** Tuesday, March 26, 2013 3:17 PM  
**To:** Kahler, Pam  
**Subject:** RE: Submitted: LRB 11-3000/2 Topic: Allowing health insurers not to include mandates enacted after effective date of act?body=

Hi Pam,

Last session you drafted the bill below for us (2011 AB 692). We didn't get it through in time and would like to have it re-drafted, with a few changes.



Please give me a call with any questions.

Thanks!  
Lindsey

*Lindsey Brabender*  
Research Assistant  
Office of State Representative Chris Kapenga  
99th Assembly District  
220 North, State Capitol  
608-266-7274

---

**From:** Kahler, Pam  
**Sent:** Wednesday, February 22, 2012 4:31 PM  
**To:** Brabender, Lindsey  
**Cc:** Cady, Dean  
**Subject:** RE: Submitted: LRB 11-3000/2 Topic: Allowing health insurers not to include mandates enacted after effective date of act?body=

OK, thanks. I will go ahead and get it ready.

---

**From:** Brabender, Lindsey  
**Sent:** Wednesday, February 22, 2012 4:29 PM  
**To:** Kahler, Pam  
**Cc:** Cady, Dean  
**Subject:** Submitted: LRB 11-3000/2 Topic: Allowing health insurers not to include mandates enacted after effective date of act?body=

Atty Kahler,

Senator Vukmir will be introducing the Senate companion to LRB 11-3000/2. They are authorized to do so.

Thanks!  
Lindsey

***Lindsey Brabender***

**Legislative Assistant**

**Office of State Representative Chris Kapenga**

**33rd Assembly District**

**19 North, State Capitol**

**608-266-7274**



## Amendments to 2011 AB 692

Amend the bill to include the following:

601.423(1)(b) and (c) amended to read:

- ✓ 601.423(1)(b) Provide coverage, or dictate benefit design for the treatment of a particular disease, condition or other health care need.
- ✓ 601.423(1)(c) Provide coverage, or dictate benefit design of a particular type of health care treatment or service, or of equipment, supplies or drugs used in connection with a health care treatment or service.

*Note: The amendments to section 601.423(1) (b) and (c) are intended to require impact statements for bills that dictate benefit design such as 2011 AB 151 relating to oral chemotherapy.*

601.423(1)(e) created to read:

- ✓ 601.423(1)(e) Impose limits or conditions on contracts between insurers and health care practitioners as defined in s. 108.1901(1m) ----(I believe that is the right stat. but am not positive).

*Note: the creation of 601.423(1)(e) is intended to require impact statements for bills that limit terms and conditions in contracts between insurers and health care providers such as 2011 AB 251.*

Initial Applicability:

- ✓ (2) PROCEDURE FOR REPORT PREPARATION. The treatment of sections 13.0966(2)(b) and (c) and 601.423(2) and (3)(a) (intro.) and (b) (intro.) of the statute first applies to bills and amendments introduced during the 2013 legislative session for that portion of legislative consideration that has not been completed as of the effective date of this subsection.

*as modified — Jk*



State of Wisconsin  
2011-2012 LEGISLATURE  
2013-2014



LRB-3000/2

PJK&JK:kjrs

Stays

SAC

1999/p1

2013 ←  
**2011 ASSEMBLY BILL 692**

3-27-13

LPS: check for hidden \*\*\*\*NOTES

D-N

(Pb)

March 13, 2012 - Introduced by Representatives KAPENGA, NYGREN, WYNN, THIESFELDT, CRAIG, PETERSEN and SPANBAUER, cosponsored by Senator VUKMIR. Referred to Committee on Homeland Security and State Affairs.

regenerate ↓

- 1 **AN ACT to amend** 601.423 (2), 601.423 (3) (a) (intro.) and 601.423 (3) (b) (intro.);
- 2 and **to create** 13.0966 of the statutes; **relating to:** social and financial impact
- 3 reports.

---

***Analysis by the Legislative Reference Bureau***

Current law defines a health insurance mandate as a statute that requires an insurance policy to do any of four things: 1) permit a person to obtain treatment or services from a particular type of health care provider; 2) provide coverage for the treatment of a particular disease or condition; 3) provide coverage of a particular type of health care treatment or service, including particular drugs, supplies, or equipment; and 4) provide coverage for a particular type of person based on the person's relationship to the insured. Current law requires that, if any bill contains a health insurance mandate affecting an insurance policy, plan, or contract, the Commissioner of Insurance (commissioner) must submit to the presiding officer of the house in which the bill is introduced a report on the social and financial impact of the mandate. Current law provides that the presiding officer may require that the report be printed and distributed as are amendments, but current law does not specify a time by which the report must be submitted.

This bill requires that the commissioner submit a report if any amendment, as well as any bill, contains a health insurance mandate. The commissioner may, however, decide not to prepare a report and submit a written statement that explains the reason for not preparing a report. In that case, the chairperson of a committee to which the bill has been referred, the presiding officer of either house, or any other

Insert A ←

**ASSEMBLY BILL 692**

member of the legislature may request that the commissioner submit a report instead. The report or statement is printed as an appendix to the bill or amendment and distributed to the members of the legislature, and made available to the public, before any public hearing is held on the bill or amendment by a committee or before any vote is taken on the bill or amendment by either house of the legislature.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

---

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

1           <sup>x</sup>  
SECTION 1. 13.0966 of the statutes is created to read:

2           **13.0966 Review of bills or amendments establishing health insurance**  
3 **mandates. (1) DEFINITIONS.** In this section:

4           (a) "Bill," except as otherwise provided, includes an amendment.

5           (b) "Office" means the office of the commissioner of insurance.

6           **(2) REPORT ON BILLS ESTABLISHING HEALTH INSURANCE MANDATES.** (a) Any bill that  
7 requires a report by the office under s. 601.423<sup>✓</sup> shall have that requirement noted on  
8 its jacket when the jacket is prepared.

9           (b) When a bill that requires a report under s. 601.423 is introduced, the  
10 legislative reference bureau shall submit a copy of the bill to the office. The office  
11 shall prepare the report or, if the office decides not to prepare the report, a written  
12 statement that explains the reason for not preparing the report. If the office prepares  
13 a written statement, the chairperson of a standing committee to which the bill has  
14 been referred, the presiding officer of either house of the legislature, either  
15 cochairperson of the joint committee on finance, or any other member of the  
16 legislature may request that the office prepare a report instead, in which case the  
17 office shall prepare a report.

## ASSEMBLY BILL 692

(c) 1. The report or written statement prepared under this section shall be printed as an appendix to the bill and shall be distributed in the same manner as amendments.

2. The report or written statement shall be distributed, and made available to the public, before any vote is taken on the bill by either house of the legislature if the bill is not referred to a standing committee, or before any public hearing is held before any standing committee or, if no public hearing is held, before any vote is taken by the committee.

SECTION 2. 601.423 (2) of the statutes is amended to read:

601.423 (2) PREPARATION OF REPORT. The commissioner shall, in the manner provided under s. 13.0966, submit a report on the social and financial impact of any health insurance mandate, contained in any bill or amendment affecting an insurance policy, plan, or contract, or a written statement explaining the reason for not preparing the report, to the presiding officer of that house of the legislature in which the bill or amendment is introduced. ~~At the discretion of the presiding officer, any such report may be printed and distributed as are amendments.~~

SECTION 3. 601.423 (3) (a) (intro.) of the statutes is amended to read:

601.423 (3) (a) *Social impact factors.* (intro.) Any report prepared under sub. (2) shall assess to the extent possible all of the following social impact factors ~~which~~ that are relevant to the type of health insurance mandate created, expanded, or continued by the bill or amendment:

SECTION 4. 601.423 (3) (b) (intro.) of the statutes is amended to read:

601.423 (3) (b) *Financial impact factors.* (intro.) Any report prepared under sub. (2) shall assess to the extent possible all of the following financial impact factors

Insert 3-8

## ASSEMBLY BILL 692

## SECTION 4

1 ~~which that~~ are relevant to the type of health insurance mandate created, expanded,  
2 or continued by the bill or amendment:

**SECTION 5. Initial applicability.**

4 (1) NOTATION ON JACKET THAT REPORT REQUIRED. The treatment of section 13.0966

5 (2) (a) of the statutes first applies to bills and amendments that are jacketed on the  
6 effective date of this subsection.

7 (2) PROCEDURE FOR REPORT PREPARATION. The treatment of sections 13.0966 (2)

8 (b) and (c) and 601.423 (2) and (3) (a) (intro.) and (b) (intro.) of the statutes first  
9 applies to bills and amendments that are introduced on the effective date of this  
10 subsection.

*in a committee*

11 (END)

*→ (1) (intro.), (a), (b), (bm), (c), (cm), and (d),*

*→ (with respect to preparation of a social and financial  
impact report)*

**2013-2014 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-1999/?ins  
PJK:.....

**INSERT A**

*note* This bill provides that a statute is also a health insurance mandate if it: 1) requires a particular benefit design under an insurance policy for the treatment of a particular disease, condition, or other health care need, for a particular type of health care treatment or service, or for equipment, supplies, or drugs used in connection with a health care treatment or service; or 2) imposes limits or conditions on a contract between an insurer and a health care provider.

(END OF INSERT A)

**INSERT 3-8**

1           **SECTION 1.** 601.423<sup>✓</sup> (1) (intro.) of the statutes is amended to read:  
2           601.423 (1) **DEFINITION.** (intro.) In this section, "health insurance mandate"  
3           means a statute of this state ~~which requires~~ that does any of the following:  
4           (am) Requires an insurance policy, plan, or contract to do any of the following:

History: 1987 a. 177.

5           **SECTION 2.** 601.423<sup>✓</sup> (1) (a) of the statutes is renumbered 601.423 (1) (am) 1.  
6           **SECTION 3.** 601.423<sup>✓</sup> (1) (b) of the statutes is renumbered 601.423 (1) (am) 2.  
7           **SECTION 4.** 601.423<sup>✓</sup> (1) (bm) of the statutes is created to read:  
8           601.423 (1) (bm) Requires a particular benefit design under an insurance  
9           policy, plan, or contract for the treatment of a particular disease, condition, or other  
10          health care need, for a particular type of health care treatment or service, or for  
11          equipment, supplies, or drugs used in connection with a health care treatment or  
12          service.

\*           \*\*\*\*NOTE: Do you want to include "equipment, supplies, or drugs" in this provision?  
            They ~~would have been~~ included under the suggested language, but it doesn't make sense  
            to me to include them. *ewere*

13          **SECTION 5.** 601.423<sup>✓</sup> (1) (c) of the statutes is renumbered 601.423 (1) (am) 3.  
14          **SECTION 6.** 601.423<sup>✓</sup> (1) (cm) of the statutes is created to read:  
15          601.423 (1) (cm) Imposes limits or conditions on a contract between an insurer  
16          and a health care provider, as defined in s. 146.81 (1).



Ins 3-8 contd

\*\*\*\*NOTE: This is probably the broadest definition for "health care *provider*" in the statutes. I think you were referring to the definition for "health care *professional*" in s. 180.1901 (1m). Which do you prefer?

**SECTION 7.** 601.423 (1) (d) of the statutes is renumbered 601.423 (1) (am) <sup>g 4.</sup> (5).

(END OF INSERT 3-8)

**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRB-1999/?dn

JK:):....

SAC

- date -

Representative Kapenga:

Please note that I modified the suggested language for the initial applicability section so that the reporting requirement first applies to bills and amendments that are in a committee on this bill's effective date. This would apply to bills and amendments that are pending consideration by a standing committee and to bills that are available for scheduling that are in the committee on senate organization or in the assembly committee on rules. (This may result in a committee having to reconsider a bill or an amendment that it has already approved.) It would not, however, apply to bills and amendments that have been placed on a daily calendar on or before this bill's effective date. This is procedurally less complicated than having this bill also apply to bills and amendments that are up for a vote in either house on this bill's effective date. Is this consistent with your intent?

\* Under s. 13.0996 (2) (b)<sup>✓</sup>, as created in the draft, LRB is required to submit a copy of the bill or amendment to OCI when the bill or amendment is introduced. If the reporting requirement applies to bills and amendments that have been introduced before this bill's effective date, LRB will not be able to satisfy this requirement and the draft does not address this issue. Do you want to add a nonstatutory provision that would require the LRB or the chair of the committee to ~~the~~<sup>wh</sup> which a bill is assigned to notify OCI of all bills subject to the reporting requirement that are in a committee on this bill's effective date? Please note that it may be somewhat time consuming to determine whether a bill or amendment that has already been introduced requires a report from OCI. It is certainly easier to make that determination as the bill or amendment is being drafted. Please contact me if you have any questions.

Joseph T. Kreye  
Senior Legislative Attorney  
Phone: (608) 266-2263  
E-mail: joseph.kreye@legis.wisconsin.gov



**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRB-1999/P1dn  
JK:sac:jf

April 4, 2013

Representative Kapenga:

Please note that I modified the suggested language for the initial applicability section so that the reporting requirement first applies to bills and amendments that are in a committee on this bill's effective date. This would apply to bills and amendments that are pending consideration by a standing committee and to bills that are available for scheduling that are in the committee on senate organization or in the assembly committee on rules. (This may result in a committee having to reconsider a bill or an amendment that it has already approved.) It would not, however, apply to bills and amendments that have been placed on a daily calendar on or before this bill's effective date. This is procedurally less complicated than having this bill also apply to bills and amendments that are up for a vote in either house on this bill's effective date. Is this consistent with your intent?

Under s. 13.0996 (2) (b), as created in the draft, LRB is required to submit a copy of the bill or amendment to OCI when the bill or amendment is introduced. If the reporting requirement applies to bills and amendments that have been introduced before this bill's effective date, LRB will not be able to satisfy this requirement and the draft does not address this issue. Do you want to add a nonstatutory provision that would require the LRB or the chair of the committee to which a bill is assigned to notify OCI of all bills subject to the reporting requirement that are in a committee on this bill's effective date? Please note that it may be somewhat time consuming to determine whether a bill or amendment that has already been introduced requires a report from OCI. It is certainly easier to make that determination as the bill or amendment is being drafted. Please contact me if you have any questions.

Joseph T. Kreye  
Senior Legislative Attorney  
Phone: (608) 266-2263  
E-mail: [joseph.kreye@legis.wisconsin.gov](mailto:joseph.kreye@legis.wisconsin.gov)

**Kahler, Pam**

---

**From:** Kreye, Joseph  
**Sent:** Tuesday, April 09, 2013 10:57 AM  
**To:** Kahler, Pam  
**Subject:** FW: Draft review: LRB -1999/P1 Topic: Social and financial impact reports by OCI  
**Attachments:** 13-1999/P1; DraftersNote1

Pam,

It looks like we have some redraft instructions on this bill.

Joe

**Joseph T. Kreye**  
Senior Legislative Attorney  
Legislative Reference Bureau  
608 266 2263

---

**From:** Brabender, Lindsey  
**Sent:** Tuesday, April 09, 2013 10:55 AM  
**To:** Kreye, Joseph  
**Subject:** FW: Draft review: LRB -1999/P1 Topic: Social and financial impact reports by OCI

Atty Kreye,

The Representative and I have reviewed the draft and drafter's note attached and have some feedback for you.

Drafter's note:

- We are fine with our bill not applying to bills and amendments that have been placed on a daily calendar on or before this bill's effective date.
- The representative does want to include a provision that would require the LRB to notify OCI of all bills subject to the reporting requirement that are in a committee on this bill's effective date. I know it will be a pain, but he wants to capture everything and there are some bills already out there that he is concerned about.

Bill draft:

- Your note on the bottom of page 3 – Yes, the Rep. does want to include "equipment, supplies, or drugs." I believe he is thinking of situations that could arise with conditions like diabetes where all of the supplies and equipment, etc. are very costly.
- Page 4, line 4 – we want to use the health care provider definition in s. 146.81(1).

Thank you and please let me know if you have any questions!

**Lindsey Brabender**  
Research Assistant  
Office of State Representative Chris Kapenga  
99th Assembly District  
220 North, State Capitol  
608-266-7274

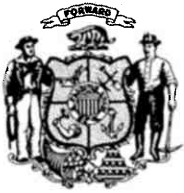
---

**From:** LRB.Legal  
**Sent:** Thursday, April 04, 2013 10:06 AM

**To:** Rep.Kapenga

**Subject:** Draft review: LRB -1999/P1 Topic: Social and financial impact reports by OCI

**Following is the PDF version of draft LRB -1999/P1 and drafter's note.**



State of Wisconsin  
2013 - 2014 LEGISLATURE



LRB-1999/1  
PJK&JK:sac:jf

fm is men

~~PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION~~

2013 Bill

due Friday  
4-12

gen cat

- 1 AN ACT *to renumber* 601.423 (1) (a), 601.423 (1) (b), 601.423 (1) (c) and 601.423  
2 (1) (d); *to amend* 601.423 (1) (intro.), 601.423 (2), 601.423 (3) (a) (intro.) and  
3 601.423 (3) (b) (intro.); and *to create* 13.0966, 601.423 (1) (bm) and 601.423 (1)  
4 (cm) of the statutes; **relating to:** social and financial impact reports.

***Analysis by the Legislative Reference Bureau***

Current law defines a health insurance mandate as a statute that requires an insurance policy to do any of four things: 1) permit a person to obtain treatment or services from a particular type of health care provider; 2) provide coverage for the treatment of a particular disease or condition; 3) provide coverage of a particular type of health care treatment or service, including particular drugs, supplies, or equipment; and 4) provide coverage for a particular type of person based on the person's relationship to the insured. This bill provides that a statute is also a health insurance mandate if it: 1) requires a particular benefit design under an insurance policy for the treatment of a particular disease, condition, or other health care need, for a particular type of health care treatment or service, or for equipment, supplies, or drugs used in connection with a health care treatment or service; or 2) imposes limits or conditions on a contract between an insurer and a health care provider.

Current law requires that, if any bill contains a health insurance mandate affecting an insurance policy, plan, or contract, the Commissioner of Insurance (commissioner) must submit to the presiding officer of the house in which the bill is introduced a report on the social and financial impact of the mandate. Current law provides that the presiding officer may require that the report be printed and

the provision of

distributed as are amendments, but current law does not specify a time by which the report must be submitted.

This bill requires that the commissioner submit a report if any amendment, as well as any bill, contains a health insurance mandate. The commissioner may, however, decide not to prepare a report and submit a written statement that explains the reason for not preparing a report. In that case, the chairperson of a committee to which the bill has been referred, the presiding officer of either house, or any other member of the legislature may request that the commissioner submit a report instead. The report or statement is printed as an appendix to the bill or amendment and distributed to the members of the legislature, and made available to the public, before any public hearing is held on the bill or amendment by a committee or before any vote is taken on the bill or amendment by either house of the legislature.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

---

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

1           **SECTION 1.** 13.0966 of the statutes is created to read:

2           **13.0966 Review of bills or amendments establishing health insurance**  
3 **mandates.** (1) **DEFINITIONS.** In this section:

4           (a) "Bill," except as otherwise provided, includes an amendment.

5           (b) "Office" means the office of the commissioner of insurance.

6           **(2) REPORT ON BILLS ESTABLISHING HEALTH INSURANCE MANDATES.** (a) Any bill that  
7 requires a report by the office under s. 601.423 shall have that requirement noted on  
8 its jacket when the jacket is prepared.

9           (b) When a bill that requires a report under s. 601.423 is introduced, the  
10 legislative reference bureau shall submit a copy of the bill to the office. The office  
11 shall prepare the report or, if the office decides not to prepare the report, a written  
12 statement that explains the reason for not preparing the report. If the office prepares  
13 a written statement, the chairperson of a standing committee to which the bill has  
14 been referred, the presiding officer of either house of the legislature, either

1 cochairperson of the joint committee on finance, or any other member of the  
2 legislature may request that the office prepare a report instead, in which case the  
3 office shall prepare a report.

4 (c) 1. The report or written statement prepared under this section shall be  
5 printed as an appendix to the bill and shall be distributed in the same manner as  
6 amendments.

7 2. The report or written statement shall be distributed, and made available to  
8 the public, before any vote is taken on the bill by either house of the legislature if the  
9 bill is not referred to a standing committee, or before any public hearing is held before  
10 any standing committee or, if no public hearing is held, before any vote is taken by  
11 the committee.

12 **SECTION 2.** 601.423 (1) (intro.) of the statutes is amended to read:

13 601.423 (1) DEFINITION. (intro.) In this section, "health insurance mandate"  
14 means a statute of this state ~~which requires~~ that does any of the following:

15 (am) Requires an insurance policy, plan, or contract to do any of the following:

16 **SECTION 3.** 601.423 (1) (a) of the statutes is renumbered 601.423 (1) (am) 1.

17 **SECTION 4.** 601.423 (1) (b) of the statutes is renumbered 601.423 (1) (am) 2.

18 **SECTION 5.** 601.423 (1) (bm) of the statutes is created to read:

19 601.423 (1) (bm) Requires a particular benefit design under an insurance  
20 policy, plan, or contract for the treatment of a particular disease, condition, or other  
21 health care need, for a particular type of health care treatment or service, or for  
22 *the provision of* equipment, supplies, or drugs used in connection with a health care treatment or  
23 service.

\*\*\*\*NOTE: Do you want to include "equipment, supplies, or drugs" in this provision?  
They were included under the suggested language, but it doesn't make sense to me to  
include them.

1           **SECTION 6.** 601.423 (1) (c) of the statutes is renumbered 601.423 (1) (am) 3.

2           **SECTION 7.** 601.423 (1) (cm) of the statutes is created to read:

3           601.423 (1) (cm) Imposes limits or conditions on a contract between an insurer  
4           and a health care provider, as defined in s. 146.81 (1).

→ **\*\*\*NOTE:** This is probably the broadest definition for "health care *provider*" in the statutes. I think you were referring to the definition for "health care *professional*" in s. 180.1901 (1m). Which do you prefer?

5           **SECTION 8.** 601.423 (1) (d) of the statutes is renumbered 601.423 (1) (am) 4.

6           **SECTION 9.** 601.423 (2) of the statutes is amended to read:

7           601.423 (2) PREPARATION OF REPORT. The commissioner shall, in the manner  
8           provided under s. 13.0966, submit a report on the social and financial impact of any  
9           health insurance mandate, contained in any bill or amendment affecting an  
10          insurance policy, plan, or contract, or a written statement explaining the reason for  
11          not preparing the report, to the presiding officer of that house of the legislature in  
12          which the bill or amendment is introduced. ~~At the discretion of the presiding officer,~~  
13          ~~any such report may be printed and distributed as are amendments.~~

14          **SECTION 10.** 601.423 (3) (a) (intro.) of the statutes is amended to read:

15          601.423 (3) (a) *Social impact factors.* (intro.) Any report prepared under sub.  
16          (2) shall assess to the extent possible all of the following social impact factors ~~which~~  
17          that are relevant to the type of health insurance mandate created, expanded, or  
18          continued by the bill or amendment:

19          **SECTION 11.** 601.423 (3) (b) (intro.) of the statutes is amended to read:

20          601.423 (3) (b) *Financial impact factors.* (intro.) Any report prepared under  
21          sub. (2) shall assess to the extent possible all of the following financial impact factors  
22          ~~which~~ that are relevant to the type of health insurance mandate created, expanded,  
23          or continued by the bill or amendment:

1            **SECTION 12. Initial applicability.**

2 (1) NOTATION ON JACKET THAT REPORT REQUIRED. The treatment of section 13.0966

(2) (a) of the statutes first applies to bills and amendments that are jacketed on the effective date of this subsection.

5 (2) PROCEDURE FOR REPORT PREPARATION. The treatment of sections 13.0966 (2)


6 (b) (with respect to preparation of a social and financial impact report) and (c) and

7 601.423 (1) (intro.), (a), (b), (bm), (c), (cm), and (d), (2), and (3) (a) (intro.) and (b)

8 (intro.) of the statutes first applies to bills and amendments that are in a committee

9 on the effective date of this subsection.

10 (END)





**2013-2014 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-1999/lins  
PJK&JK:sac:jf

**Insert 5 -1**

**SECTION 1. Nonstatutory provisions.**

(1) NOTIFICATION. As soon as possible after the effective date of this subsection, the Legislative Reference Bureau shall notify the commissioner of insurance of all bills and amendments that are in a committee of either house of the legislature for which a report is required under section 601.423 of the statutes, as created in this act.

**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-1999/1dn

PJK:f:...

SAC

-date-

I modified the language somewhat for proposed s. 601.423 (1) (bm). Previously, the language read: "requires a particular benefit design....for equipment, supplies or drugs," which did not make sense to me. I have modified it so that it reads: "requires a particular benefit design .... for the provision of equipment, supplies or drugs." Let me know if you do not want this language change → or if you want to further

modified it

Pamela J. Kahler  
Senior Legislative Attorney  
Phone: (608) 266-2682  
E-mail: pam.kahler@legis.wisconsin.gov

**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRB-1999/1dn  
PJK:sac:rs

April 9, 2013

I modified the language somewhat for proposed s. 601.423 (1) (bm). Previously, the language read: "requires a particular benefit design....for equipment, supplies or drugs," which did not make sense to me. I have modified it so that it reads: "requires a particular benefit design .... for the provision of equipment, supplies or drugs." Let me know if you do not want this language change or if you want to further modify it.

Pamela J. Kahler  
Senior Legislative Attorney  
Phone: (608) 266-2682  
E-mail: [pam.kahler@legis.wisconsin.gov](mailto:pam.kahler@legis.wisconsin.gov)

**Rose, Stefanie**

---

**From:** Brabender, Lindsey  
**Sent:** Thursday, May 23, 2013 2:05 PM  
**To:** LRB.Legal  
**Subject:** Draft Review: LRB -1999/1 Topic: Social and financial impact reports by OCI

Please Jacket LRB -1999/1 for the ASSEMBLY.